LIFE-TIMERS MUST SERVE TEN YEARS

Senator Eakes, Author of Measure, Explains Provi-

sions on Floor— Clause In- serted Following Frank’s Commutation

No Life-Term Prisoner shall be granted Clemency or Parole until he has served at least ten years of his Sentence if a Bill, which was passed yesterday by the unanimous vote of the Senate, becomes Law. The Author of the Bill, Senator Eakes, stated Friday afternoon that he had inserted the following Clause in the Bill, following the Commutation of Leo Frank’s Sentence by Ex-Governor Slaton:

> “Provided, that no such Automatic Parole as herein provided shall be granted to any Prisoner who is serving a Life Sentence, until the Prisoner shall have served at least ten years of his Sentence, and in case any such Prisoner shall have been the Recipient of Executive Clemency, he shall not thereafter be eligible to further Executive Clemency or to Parole under the Provision of this Act, unless it is proved to the satisfaction of said Prison Commission by

competent evidence, discovered since the trial and conviction of such Prisoner, that he is innocent of the Crime for which he is convicted."

In explaining his measure on the floor of the Senate, Mr. Eakes stated that he drew this Bill according to Opinions derived from his own Personal Experience and observation while he was acting Chairman of the Board of Commissioners of Rockdale County. "This Bill," declared Senator Eakes, "is not the Result of any action on the part of the Men and Religion Forward people."

Provisions of Bill.

Other important Provisions in the measure are as follows:

And, provided further. That no such Parole shall be granted to any Prisoner by said Commission until it shall have satisfactory evidence that such Prisoner has faithfully performed every duty and obeyed every rule while confined in said Penitentiary, which evidence may be obtained from the sworn monthly Reports of the Warden having Charge of such Convict, and, provided further, that in case there is not anyone to Parole such Prisoner and make such Reports to said Prison Commission as may be provided by Law, or by the Rules of the Commission, with Reference to the conduct and Condition of such Prisoner, then and in that event, the ordinary of the County where such paroled Prisoner may make his Residence or place of Abode shall make such Reports.

Section 1224. Automatic Parole—When Refused.

The Prison Commission, with the approval of the Governor, shall have full Power to fix and prescribe the Rules and Regulations under which Applications for refusal of the Parole provided for in the preceding Section shall be made; but no Parole shall be refused save upon the Recommendation of two Members of said Commission, and the approval of the Governor, and then

only on the Prison Record of such Prisoner and his History before his conviction for Crime. Parole shall be refused to any Prisoner, with or without Application, if said Commission shall have satisfactory evidence that if said Prisoner is released on Parole, he will not secure honest employment with a good home, or, if he is unable to labor, that he will become an Object of Public Charity.

Up to Governor.

When the Prison Commission, after a Full Examination into the History of such Prisoner, who may be entitled to the Benefits of this Act and to an Automatic Parole before the commission of the Crime for which he has been convicted, and the Prison Record made by him since his confinement in the Penitentiary, shall become convinced that he is unworthy of a Parole, or Conditional Pardon, and that this release will be incompatible with the Welfare of Society, and that he has not the qualities of character which entitle him to a Restoration of Citizenship, it shall report its Reasons and Findings thereon, irrespective of whether it be with or without Application, to the Governor with Recommendation that said Parole or conditional Parole be not granted; and if the Governor approves the Recommendation of said Commission and so reports to it, then said Commission shall issue its Order refusing the release of such Prisoner under the Terms of the Automatic Parole, and the confinement of such Prisoner in the Penitentiary shall be continued. It shall be the duty of the Prison Commission to pass its Order granting the Parole of every Prisoner entitled to Parole under the Terms of this and the preceding sections, and fixing the Terms of said Parole, and to cause a certified Copy of such Order to be sent to the Clerk of the Court of the County where in said Prisoner was convicted, which shall be duly entered of Record in said Clerk’s Office in a Book to be kept for that purpose.